

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of

Accelerating Wireless Broadband Deployment by	)	WT Docket No. 17-79
Removing Barriers to Infrastructure Investment	)	
	)	
Revising the Historic Preservation Review Process	)	WT Docket No. 15-180
for Wireless Facility Deployments	)	

COMMENTS OF:

Thlopthlocco Tribal Town

Thlopthlocco Tribal Town  
P.O. Box 188  
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(918) 560-6106

April 13, 2017

The Thlopthlocco Tribal Town, previously located in the Southeastern United States and moved to what is now Oklahoma, works with a variety of federal agencies on small and large projects in the compliance of federal laws, including but not limited to the National Historic Preservation Act (NHPA) [ and the Native American Graves Protection and Repatriation Act (NAGPRA) and any others – ARPA, NEPA]. Our tribe protects irreplaceable sites and locations that are of religious and cultural significance to our people today by continuing the successful collaborative processes that have been established with federal agencies, other Indian tribes, and project developers.

The Federal Communications Commission's Tower Construction Notification System (TCNS) system has proven to be a very useful tool to track, monitor, and expedite the placement of cellular technology infrastructure. Over years, we have worked with and developed quality relationships with the many consultants installing telecommunication infrastructure facilities, including cell tower siting, through the TCNS Program. Our tribe provides prompt response to cell tower notifications. If and when any situations arise using the TCNS Program, tribes have been able to promptly contact industry consultants and/or FCC staff to expedite resolutions. With the emerging 5G technology by the wireless telecommunications industry we can see the benefits of modernizing the existing TCNS system to meet our needs.

Thlopthlocco Tribal Town has had success in relocating a tower from a sacred site at Horseshoe Bend, and is currently consulting on a project which is near one of our trails in our homeland.

It is very important for not only the FCC, but for applicants and consultants to remember is that SHPO records and THPO records are not the same. One of the reasons Federal agencies are mandated to consult with Federally recognized tribes under several different laws, is because the Federal government has acknowledged that sovereign tribes possess specialized and confidential knowledge regarding such sites.

We do our very best to complete and submit reviews within the 30 day time frame, although we have numerous TCNS projects, literally over 100, that were filed 6-9 months ago, that remain unreviewed because we have not received the materials and requested information as of yet.

Thlopthlocco Tribal Town is a Federally recognized tribal government; our government cannot speak for or on behalf of other governments. Our protocols and fees for our work are set by tribal government legislation, so what is requested by or works for another government may or may not be the same for another.

Our Area of Interest is outside of our current residence because we were removed from our original homelands to where we now reside. We are not a 'reservation' now being an Oklahoma tribe; but we do retain interest in our homeland, and Federal law gives us the right to be consultants in any issues involving projects with Federal permitting, dollars or on Federal land. These same laws mandate that every Federal agency consult with us. It is also very important to realize that these sites of interest to us are not 'just' burial grounds, but include historic sites, sacred sites, and other properties. All of these are part of NHPA Section 106 consultation.

Lastly, while we are generally pleased with the TCNS process until these issues surfaced very recently, we would like to see consultation on these issues between our tribe and the Federal agency – the FCC. The

FCC has not engaged with us for consultation on these matters which is required by several Federal laws, directives, decisions and Presidential orders, and the only way we have become aware of them is through inter-tribal organizations who have alerted us to the issues. NO organization can negotiate, sign, or enter into an agreement on behalf of a tribal government, nor can they consult with the agency on our behalf

Thank you for your consideration of these comments.

A handwritten signature in black ink, appearing to read 'Ryan Morrow', is positioned above a horizontal line.

Ryan Morrow  
Town King  
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April 13 2017